Office-Supreme Court, U.S.
FILED
AUG 27 1958
JAMES R. BROWNING, Clerk

IN THE SUPREME COURT OF THE UNITED STATES

AUGUST SPECIAL TERM 1958

JOHN AARON, et al., PETITIONERS

v.

WILLIAM G. COOPER, et al.,
Members of the Board of Directors of
the Little Rock, Arkansas Independent
School District, and
VIRGIL T. BLOSSOM, Superintendent of
Schools RESPONDENTS

MOTION FOR LEAVE TO FILE A BRIEF AS AMICUS CURIAE

J. W. Fulbright hereby respectfully moves for leave to file a brief amicus curiae in the above entitled action.

The consent of the Attorneys for Petitioners and the consent of the Attorneys for the Respondents to file such brief, because of considerations of time, has neither been officially requested nor obtained.

Movant has reason to believe, however, that Respondents would not object to the filing of said brief amicus curiae.

The interest of the movant in this action arises from the fact that:

He is a citizen of the State of Arkansas whence this litigation arises;

He is an elected representative of the people of the State of Arkansas and has been such since 1942;

He is an educator, having occupied positions of responsibility in educational institutions and he

has served as President of the State University of Arkansas;

During his public life as a United States Representative from the Third Congressional District of Arkansas and as a United States Senator from the State of Arkansas his efforts have been directed toward the enhancement of education generally and he has advocated specific programs designed to bring about this result;

Movant has a deep and abiding conviction that only through the process of education can this nation hope to resolve many of the controversies with which it is presently confronted;

As a result of movant's experience as an elected representative of the people of the State of Arkansas in the Nation's Congress he has an understanding of his constituency, knowledge of prevailing local conditions, and an awareness of the mental and spiritual climate of the people of his State, all of which he believes would be of service to this Court in its consideration of the issues here presented;

Further, as a result of movant's personal and political background he is conversant with the social mores of the people of the South;

Also, because of movant's background in the aforementioned fields he feels able to present to this Court useful information which he believes would assist it in resolving the grave issues involved in this action;

Movant believes he is able to propose considerations which this Court might find valuable in resolving issues here presented;

Movant believes this case affects a far greater number of people than the actual parties litigant and believes he can present to the Court information of a helpful nature with regard to the interests of a majority of the people of Arkansas;

Movant is deeply troubled about the future peace and happiness of the people of his State and Nation of all races and creeds and believes the Court may derive benefit from his observations;

Movant states that time considerations do not permit absolute compliance with all technical requirements of the rules of this Court respecting filing of motions;

Movant, however, respectfully cites to this Honorable Court the language of Associate Justice Black as set forth in the order of this Court adopting its revised rules of procedure:

> "Finally, I have never favored the almost insuperable obstacles our rules put in the way of briefs sought to be filed by persons other than the actual litigants. Most of the cases before this Court involve matters that affect far more people than the immediate record parties. I think the public interest and judicial administration would be better served by relaxing rather than tightening the rule against amicus curiae briefs."
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> Order Adopting Revised Rules of the Supreme Court of the United States, 346 U. S. 945, 947 (1954).

Because of the unusual nature or the proceedings in this case and because of time element involved it is respectfully requested that this motion for leave to

file a brief as amicus curiae be granted even though strict compliance with the rules of this Court respecting filing of motions has been a practical impossibility.

Respectfully Submitted,

Lee Williams
Attorney for J. W. Fulbright
409 Senate Office Building
Washington 25, D. C.

August 27, 1958